

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 Blake L. Anderson,
5 Plaintiff
6 v.
7 State of Nevada, et al.,
8 Defendants

Case No.: 2:18-cv-01524-JAD-NJK

**Order Adopting
Report & Recommendation and
Dismissing Case**

[ECF No. 18]

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11 Blake L. Anderson brings this civil-rights action alleging due-process and equal-
12 protection violations under 42 U.S.C. § 1983 related to his state-court prosecution, which
13 remains on appeal to the Nevada Supreme Court. Magistrate Judge Nancy Koppe has evaluated
14 the nature of Anderson's claims and the status of his state-court matter and has concluded that
15 Anderson's claims are presently barred by the United States Supreme Court's decision in *Heck v.*
16 *Humphrey*,¹ which bars §1983 claims used to collaterally attack a criminal conviction unless that
17 conviction or the resulting sentence has been reversed on direct appeal, expunged by executive
18 order, declared invalid, or called into question by a federal court's writ of habeas corpus.² The
19 deadline for Anderson to object to that recommendation has passed, and Anderson filed nothing.
20 "[N]o review is required of a magistrate judge's report and recommendation unless objections
21 are filed."³ Having reviewed the R&R, I find good cause to adopt it, and I do.

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24 ¹ *Heck v. Humphrey*, 512 U.S. 477, 484 (1994).

25 ² ECF No. 18.

26 ³ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474
27 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Accordingly, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation [ECF No. 18] is **ADOPTED** in its entirety.

IT IS FURTHER ORDERED that **this action is DISMISSED** without prejudice under *Heck v. Humphrey*.

The Clerk of Court is directed to ENTER JUDGMENT ACCORDINGLY and CLOSE THIS CASE.

Dated: November 18, 2018

U.S. District Judge Jennifer A. Dorsey